

**DUFFY NOW
RECANTS AND
SAYS HE WAS
BRIBED**

After Giving New
Affidavit to

State, He Is
Released.

Hearing Resumes
Monday.

By Wednesday the hearing of the extraordinary motion by Leo M. Frank for a new trial should be concluded before Judge B. H. Hill according to present indications; and it is expected that

before the end of the week Judge Hill will announce his decision on the motion.

Thereafter, probably at some time during the week after this, the court will take up the motion to set aside the verdict because Frank was not in court when it was rendered. This is the motion filed by Attorney Tye and others.

A development in the case on Saturday afternoon was the recantation of Witness J. E. Duffy, who was arrested Friday night on an attachment issued at the solicitor's request by Judge Hill.

Duffy, after spending Friday night and Saturday under arrest, has made a sensational affidavit for the state, asserting that his original testimony at the trial was the truth, and declaring that he was bribed by agents of the defense to make the affidavit quoted in Frank's extraordinary motion for a new trial.

He declares that he was spirited away from the city to dodge the defense's agents, it is alleged, and says that he spent an entire night in an automobile between Austell and Atlanta.

The solicitor is closely guarding the name of the man against whom Duffy makes specific charges, although the affidavit will probably be read and its full contents disclosed at Monday's hearing.

By Duffy, the defense claims to have annihilated the blood-spot claims. Duffy was used by the state at the original trial to tell of an accident in the factory near the spot where the state claims Mary Phagan was killed. At the trial, Duffy swore that he spilled very little, if any blood there. In the affidavit made for the defense, he attacked Solicitor Dorsey, and said that because of the solicitor's leading questions and insistence, he did not give the exact story. He further said that possibly and probably much blood was spilled there, as the result of the accident in which he figured.

The release of Duffy was ordered immediately after he made the affidavit for the state.

On Monday the court will resume the hearing of the extraordinary motion, Dan S. Lehon, lieutenant of Detective W. J. Burns has been subpoenaed into court at 10 o'clock, and will be subjected to a number of questions by Solicitor Hugh Dorsey. It is taken for granted that those questions will deal principally with Lehon's knowledge of the Ragsdale affair, in which the Baptist minister C. B. Ragsdale swore he heard a Negro confess, and another man swore he identified that Negro as Jim Conley, sweeper in the pencil factory and accuser of Frank.